



MEMO ENDORSED

July 2, 2020

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**Via ECF**

Hon. Kenneth M. Karas  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Re: Falls v Detective Michael Pitt et. al.  
Docket No. : 16-CV-08863 (KMK)

Dear Judge Karas:

My office represents the interests of Alan Madell, M.D., Nurse Blanca Lemos and Nurse Practioner Hillary Durbin ("Medical Defendants") in the above-referenced matter.

With the consent of David Posner, counsel for the City of Newburgh Defendants, we are respectfully requesting the Court to allow the Medical Defendants to adopt the Rule 56.1 Statement of our codefendants (Doc. No. 168).

There are several reasons for this request, primarily to avoid having Mr. Falls respond to a similar 30 page document and in consideration of Mr. Fall's pro se status and in consideration that Mr. Falls is incarcerated with inherent difficulties litigating from prison. We respectfully submit that working from one Rule 56.1 Statement with be more efficient. Co counsel's Rule 56.1 statement refers to the Medical Defendant's records or their affidavits at least 71 out of 152 material facts.

In the alternative, we would request permission to file a Rule 56.1 Statement by July 7, 2020. We would also consent to an extension of time for Mr. Falls to respond to a Medical Defendants' Rule 56.1 Statement.

We await the further directives of this Court.

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Respectfully submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

\_\_\_\_\_/s/ \_\_\_\_\_

Milan P. Spisek  
MPS/

Application to adopt the Rule 56.1 Statement of Co-Defendants is granted.

So Ordered.

A handwritten signature in black ink, appearing to be 'K. A. K.', written over a horizontal line.

7/6/20

cc: **VIA FIRST CLASS MAIL**  
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**VIA ECF**  
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